

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

In Re:
ELAINA LIVA,
DEBTOR.

Case No.: 19-25392 (RG)
Chapter: 7
Judge: Rosemary Gambardella

NOTICE OF PROPOSED COMPROMISE or SETTLEMENT OF CONTROVERSY

Steven P. Kartzman, Chapter 7 Trustee, in this case proposes a compromise, or to settle a claim and/or action as described below. If you object to the settlement or compromise, you must file a written objection with the Clerk of the United States Bankruptcy Court, and serve it on the person named below not later 7 days before the hearing date.

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| Address of the Clerk: Jeanne A. Naughton, Clerk Martin Luther King Jr. Federal Building 50 Walnut Street, P.O. Box 1352 Newark, New Jersey 07102 |
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If an objection is filed, a hearing will be held before the Honorable Rosemary Gambardella on February 8, 2022 at 10:00 a.m. at the United States Bankruptcy Court, Courtroom No. 3E, Martin Luther King Jr. Federal Building, 50 Walnut Street, Newark, New Jersey (hearing to be scheduled for at least 28 days from the date of the filing of the notice). If no objection is filed the clerk will enter a *Certification of No Objection* and the settlement may be completed as proposed.

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| Nature of action: The Trustee reached a settlement of the Debtor's Claims against her ex-husband's decedent estate [Dkt. Nos. 103, 104], which will result in the Bankruptcy Estate's (the "Estate"), receipt of about \$317,000. After the costs to recover those funds are deducted, and pursuant to a Consent Order with the Debtor entered on January 2, 2020, the Debtor will receive 80% of the net sum. A restitution judgment was recorded as a lien in the Bergen County Clerk's Office, held by the United States of America against Elaina Liva a/k/a Elaina Maria Gulino a/k/a Elaina Gulino a/k/a Elaina G. Liva, which lien was recorded on May 3, 2019, by the Bergen Country Clerk in Book No. 03234 at Page No. 0408 (the "Restitution Lien"). The Trustee entered into negotiations with the United States, and an agreement was reached which resolves the Restitution Lien as to the Debtor's portion of the proceeds from the decedent estate. |
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| Pertinent terms of settlement: The Trustee shall pay the sum of \$48,878.80 to Debtor upon distribution of the Decedent Estate Proceeds. The remainder of the Debtor's 80% distribution shall be remitted to the United States in exchange for a release of the Restitution Lien. The Trustee believes that the settlement is in the best interest of the estate as it maximizes value and will avoid unnecessary litigation, the cost of which would necessarily diminish any additional recovery. |
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Objections must be served on, and requests for additional information directed to:

Name: Steven A. Jayson, Esq., Mellinger Kartzman LLC

Address: 101 Gibraltar Drive, Suite 2F, Morris Plains, New Jersey 07950

Telephone No.: (973) 267-0220

In re:
Elaina Liva
Debtor

Case No. 19-25392-RG
Chapter 7

CERTIFICATE OF NOTICE

District/off: 0312-2
Date Rcvd: Jan 04, 2022

User: admin
Form ID: pdf905

Page 1 of 3
Total Noticed: 44

The following symbols are used throughout this certificate:

| Symbol | Definition |
|--------|---|
| + | Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP. |
| ## | Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable. |

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 06, 2022:

| Recip ID | Recipient Name and Address |
|-----------|--|
| db | + Elaina Liva, 5 Horizon Road, Apt. 2908, Fort Lee, NJ 07024-6649 |
| sp | + Stearns Weaver Miller Weissler Alhadeff & Sitterso, 150 West Flagler Street, Suite 2200, Miami, FL 33130-1545 |
| r | + Vikki Healey Properties, 25 W. Pleasant Avenue, Maywood, NJ 07607-1320 |
| r | + Vikki Healey Properties, 25 W. Pleasant Avenue, Maplewood, NJ 07607-1320 |
| acc | + WithumSmith+Brown, PC, 200 Jefferson Park., Suite 400, Whippany., NJ 07981-1070 |
| 518398664 | + American Express, 1801 NW 66th Ave., Fort Lauderdale, FL 33313-4571 |
| 518576000 | American Express National Bank, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701 |
| 518398666 | + Applied Bank, c/o Credit Control LLC, PO Box 546, Hazelwood, MO 63042-0546 |
| 518398667 | + Cap Call, c/o Tara N. Pomparelli, Esq., 122 East 42nd Street, Suite 2112, New York, NY 10168-2100 |
| 518398670 | + Cardinal Health 110 LLC, c/o Mitchell J. Malzberg, LLC, 6 E. Main Street, Ste. 7, Clinton, NJ 08809-2627 |
| 518398668 | + Cardinal Health 110 LLC, 7000 Cardinal Place, Dublin, OH 43017-1091 |
| 518398669 | + Cardinal Health 110 LLC, c/o Keggler Brown Hill & Ritter, 65 E. State Street, Columbus, OH 43215-4213 |
| 518398673 | + Chase Auto Finance/JP Morgan, National Bankruptcy Dept., 201 N. Central Ave., MS AZ1-1191, Phoenix, AZ 85004-8001 |
| 518422998 | + Extreme Marine, 15600 Collins Ave., Miami Beach, FL 33154-1000 |
| 518517607 | + JPMorgan Chase Bank, N.A., s/b/m/t Chase Bank USA, N.A., c/o National Bankruptcy Services, LLC, P.O. Box 9013, Addison, Texas 75001-9013 |
| 518423000 | + Jared D'Argenio, 13931 Packard Terr., Delray Beach, FL 33484-1543 |
| 518398680 | + Liva, Jonathan, 2 14th Street, Apt. 1001, Hoboken, NJ 07030-6779 |
| 518398682 | + MCA Fixed Payment/Merchants Capital, c/o Viraj P. Deshmukh, Thompson, O'Brien, IKamp & Nasuti PC, 40 Technology Pkwy. South, Ste. 300, Norcross, GA 30092-2924 |
| 518398681 | + MCA Fixed Payments/Merchants Capital, 6901 Jericho Turnpike, Ste. 218, Syosset, NY 11791-4464 |
| 518398683 | + Milstead & Associates, LLC, 1 E. Stow Road, Marlton, NJ 08053-3118 |
| 518398686 | + PNC Bank, ATTN: Bankruptcy, 249 5th Avenue, Ste. 30, Pittsburgh, PA 15222-2707 |
| 518398688 | + PNC Bank Credit Card, PO Box 5570, Mailstop BR-YB58-01-5, Cleveland, OH 44101-0570 |
| 518398684 | + Perla, Daniel, c/o Davidoff Law Firm PLLC, 228 East 45th Street, Ste. 1700, New York, NY 10017-3343 |
| 518398685 | + Perla, Daniel, c/o Agentis PLLC, ATTN: Jake M. Greenberg, 55 Alhambra Plaza, Ste. 800, Coral Gables, FL 33134-5254 |
| 518423001 | + R&S Pharmaceutical, 8407 Austin Tracy Road, Fountain Run, KY 42133-9606 |
| 518398690 | + Sterling National Bank/Astoria Bank, 400 Rella Blvd., Montebello, NY 10901-4241 |
| 518398691 | + U.S. Department of Justice, Florida-Southern, 99 NE 4th Street, Ste. 300, Miami, FL 33132-2131 |
| 518398693 | + United States Attorney General, United States Dept. of Justice, Ben Franklin Station, PO Box 683, Washington, DC 20044-0683 |

TOTAL: 28

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

| Recip ID | Notice Type: Email Address | Date/Time | Recipient Name and Address |
|-----------|--|----------------------|--|
| aty | + Email/Text: attorneys@msslaw.net | Jan 04 2022 20:43:00 | Mellinger, Sanders & Kartzman, LLC, 101 Gibraltar Drive, Morris Plains, NJ 07950-1287 |
| smg | Email/Text: usanj.njbankr@usdoj.gov | Jan 04 2022 20:43:00 | U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534 |
| smg | + Email/Text: ustpreion03.ne.ecf@usdoj.gov | Jan 04 2022 20:43:00 | United States Trustee, Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100, Newark, NJ 07102-5235 |
| 518398665 | Email/Text: bnc-applied@quantum3group.com | | |

District/off: 0312-2

User: admin

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Date Rcvd: Jan 04, 2022

Form ID: pdf905

Total Noticed: 44

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| | | Jan 04 2022 20:43:00 | Applied Bank, 4700 Exchange Court, Boca Raton, FL 33431-0966 |
| 518576000 | Email/PDF: bncnotices@becket-lee.com | Jan 04 2022 20:42:34 | American Express National Bank, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701 |
| 518398671 | + Email/Text: bk.notifications@jpmchase.com | Jan 04 2022 20:43:00 | Chase Auto Finance, c/o National Recovery Group, PO Box 29505, Phoenix, AZ 85038-9505 |
| 518398672 | + Email/Text: bk.notifications@jpmchase.com | Jan 04 2022 20:43:00 | Chase Auto Finance, PO Box 901003, Fort Worth, TX 76101-2003 |
| 518398677 | + Email/Text: enotifications@santanderconsumerusa.com | Jan 04 2022 20:43:00 | Chrysler Capital, Bankruptcy Dept., PO Box 961278, Fort Worth, TX 76161-0278 |
| 518398678 | Email/Text: sbse.cio.bnc.mail@irs.gov | Jan 04 2022 20:43:00 | Internal Revenue Service, PO Box 7346, Philadelphia, PA 19101-7346 |
| 518398674 | Email/PDF: ais.chase.ebn@aisinfo.com | Jan 04 2022 20:42:25 | Chase Card, ATTN: Correspondence, PO Box 15298, Wilmington, DE 19850 |
| 518398675 | Email/PDF: ais.chase.ebn@aisinfo.com | Jan 04 2022 20:42:16 | Chase Card Services, Correspondence Dept., PO Box 15278, Wilmington, DE 19850 |
| 518398676 | Email/PDF: ais.chase.ebn@aisinfo.com | Jan 04 2022 20:42:34 | Chase Freedom, Cardmember Services, PO Box 15299, Wilmington, DE 19850 |
| 518398687 | Email/Text: Bankruptcy.Notices@pnc.com | Jan 04 2022 20:43:00 | PNC Bank, PO Box 3180, Pittsburgh, PA 15230 |
| 518614112 | Email/Text: Bankruptcy.Notices@pnc.com | Jan 04 2022 20:43:00 | PNC Bank, N.A., PO Box 94982, Cleveland, OH 44101 |
| 518600591 | Email/Text: bnc-quantum@quantum3group.com | Jan 04 2022 20:43:00 | Quantum3 Group LLC as agent for, Sadino Funding LLC, PO Box 788, Kirkland, WA 98083-0788 |
| 518398689 | + Email/Text: collbknotices@sccu.com | Jan 04 2022 20:43:00 | Space Coast Credit Union, 8045 N. Wickham Road, Melbourne, FL 32940-7920 |
| 518398692 | + Email/Text: usanj.njbankr@usdoj.gov | Jan 04 2022 20:43:00 | United States Attonrey, 970 Broad Street, Suite 700, Newark, NJ 07102-2527 |

TOTAL: 17

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

| Recip ID | Bypass Reason | Name and Address |
|-----------|---------------|---|
| 518422999 | ##+ | Jamie Liva, 11740 SW Bennington Cir., Port Saint Lucie, FL 34987-2716 |
| 518398679 | ##+ | KML Law Group, P.C., ATTN: Kristina G. Murtha, Esq., 216 Haddon Ave., Ste. 406, Westmont, NJ 08108-2812 |

TOTAL: 0 Undeliverable, 0 Duplicate, 2 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 06, 2022

Signature: /s/Joseph Speetjens

District/off: 0312-2

User: admin

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Date Rcvd: Jan 04, 2022

Form ID: pdf905

Total Noticed: 44

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 4, 2022 at the address(es) listed below:

| Name | Email Address |
|---------------------|--|
| Anthony Sodono, III | on behalf of Debtor Elaina Liva asodono@msbnj.com |
| Denise E. Carlon | on behalf of Creditor PNC Mortgage a Division of PNC Bank, National Association dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com |
| Judah B Loewenstein | on behalf of Trustee Steven P. Kartzman jloewenstein@msklaw.net sjayson@msklaw.net;pmasiello@msklaw.net;donnaz@msklaw.net |
| Robert Link | on behalf of Creditor Sterling National Bank successor by merger to Astoria Bank blink@msgsb.com |
| Steven A. Jayson | on behalf of Trustee Steven P. Kartzman sjayson@msklaw.net jloewenstein@msklaw.net;donnaz@msklaw.net;pmasiello@msklaw.net |
| Steven P. Kartzman | on behalf of Trustee Steven P. Kartzman kartztee@optonline.net nj16@ecfbis.com;jloewenstein@msklaw.net;sjayson@msklaw.net;skartzman@msklaw.net;donnaz@msklaw.net;pmasiello@msklaw.net |
| Steven P. Kartzman | kartztee@optonline.net nj16@ecfbis.com;jloewenstein@msklaw.net;sjayson@msklaw.net;skartzman@msklaw.net;donnaz@msklaw.net;pmasiello@msklaw.net |
| Steven P. Kartzman | on behalf of Spec. Counsel Stearns Weaver Miller Weissler Alhadeff & Sitterson P.A. kartztee@optonline.net, nj16@ecfbis.com;jloewenstein@msklaw.net;sjayson@msklaw.net;skartzman@msklaw.net;donnaz@msklaw.net;pmasiello@msklaw.net |
| U.S. Trustee | USTPRegion03.NE.ECF@usdoj.gov |

TOTAL: 9